

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* FREDERICK S.M. HERZ, LYLE H. UNGAR,  
JASON M. EISNER, and WALTER PAUL LABYS

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Appeal 2008-2147  
Application 10/054,057  
Technology Center 3600

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Mailed: December 3, 2008

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Before DALE M. SHAW, *Chief Appeals Administrator*  
SHAW, *Chief Appeals Administrator*.

ORDER REMANDING APPEAL TO EXAMINER

The Office of the Group Director of Technology Center 3600, on behalf of the Director of the United States Patent and Trademark Office (USPTO), has asked that the application be remanded back to the examiner for further consideration.

Appeal 2008-2147  
Application 10/054,057

Accordingly, it is hereby

ORDERED that the application is remanded to the Examiner for  
further consideration.

DMS/ewh

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